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**ABBOTT LABORATORIES**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

MEIJER, INC. & MEIJER DISTRIBUTION,  
INC., on behalf of themselves and all others  
similarly situated, ) **Case No. C 07-5985 CW**  
Plaintiffs, ) *Related Per November 30, 2007 Order to*  
vs. ) *Case No. C 04-1511 CW*  
ABBOTT LABORATORIES, ) **DECLARATION OF NICOLE M. NORRIS  
ACCOMPANYING ABBOTT  
LABORATORIES' REPLY BRIEFS IN  
SUPPORT OF ITS MOTIONS TO DISMISS  
PLAINTIFFS' CLAIMS**  
Defendant. ) Date: March 6, 2008  
[caption continues next page] ) Time: 2:00 p.m.  
 ) Courtroom: 2 (4th Floor)  
 ) Judge: Hon. Claudia Wilken

1       ROCHESTER DRUG CO-OPERATIVE, INC., )    **Case No. C 07-6010 CW**  
 2       on behalf of itself and all others similarly )  
       situated, )  
 3    Plaintiffs, )  
 4    vs. )  
 5       ABBOTT LABORATORIES, )  
 6    Defendant. )  
 7  
 8       LOUISIANA WHOLESALE DRUG )  
 9       COMPANY, INC., on behalf of itself and all )  
       others similarly situated, )  
 10    Plaintiffs, )  
 11    vs. )  
 12       ABBOTT LABORATORIES, )  
 13    Defendant. )  
 14       SMITHKLINE BEECHAM CORPORATION, )  
 15       d/b/a GLAXOSMITHKLINE, )  
 16    Plaintiff, )  
 17    vs. )  
 18       ABBOTT LABORATORIES, )  
 19    Defendant. )  
 20  
 21       SAFEWAY INC.; WALGREEN CO.; )  
 22       THE KROGER CO.; NEW ALBERTSON'S, )  
       INC.; AMERICAN SALES COMPANY, INC.; )  
       and HEB GROCERY COMPANY, LP, )  
 23    Plaintiffs, )  
 24    vs. )  
 25       ABBOTT LABORATORIES, )  
 26    Defendant. )  
 27    [caption continues next page] )  
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**DECLARATION OF NICOLE M. NORRIS ACCOMPANYING ABBOTT LABORATORIES' REPLY BRIEFS IN SUPPORT OF ITS MOTIONS TO DISMISS PLAINTIFFS' CLAIMS**

**Case No. C 07-6118 CW**  
*Related Per December 3, 2007 Order to Case No. C 04-1511 CW*

**DECLARATION OF NICOLE M. NORRIS ACCOMPANYING ABBOTT LABORATORIES' REPLY BRIEFS IN SUPPORT OF ITS MOTIONS TO DISMISS PLAINTIFFS' CLAIMS**

**Case No. C 07-5702 CW**  
*Related Per November 19, 2007 Order to Case No. C 04-1511 CW*

**DECLARATION OF NICOLE M. NORRIS ACCOMPANYING ABBOTT LABORATORIES' REPLY BRIEFS IN SUPPORT OF ITS MOTIONS TO DISMISS PLAINTIFFS' CLAIMS**

**Case No. C 07-5470 CW**  
*Related Per October 31, 2007 Order to Case No. C 04-1511 CW*

**DECLARATION OF NICOLE M. NORRIS ACCOMPANYING ABBOTT LABORATORIES' REPLY BRIEFS IN SUPPORT OF ITS MOTIONS TO DISMISS PLAINTIFFS' CLAIMS**

1 RITE AID CORPORATION; RITE AID ) **Case No. C 07-6120 CW**  
2 HDQTRS, CORP.; JCG (PJC) USA, LLC; )  
3 MAXI DRUG, INC. d/b/a BROOKS ) *Related Per December 5, 2007 Order to*  
4 PHARMACY; ECKERD CORPORATION; ) *Case No. C 04-1511 CW*  
5 CVS PHARMACY, INC.; and CAREMARK, )  
6 L.L.C., )  
7 Plaintiffs, )  
8 vs. )  
9 ABBOTT LABORATORIES, )  
10 Defendant. )  
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**DECLARATION OF NICOLE M. NORRIS  
ACCOMPANYING ABBOTT  
LABORATORIES' REPLY BRIEFS IN  
SUPPORT OF ITS MOTIONS TO DISMISS  
PLAINTIFFS' CLAIMS**

1 I, Nicole M. Norris, declare:

2 1. I am an attorney at law, admitted to practice in this Court for these matters. I  
3 am an associate with the law firm of Winston & Strawn LLP, counsel of record for Abbott  
4 Laboratories ("Abbott"), and am authorized to make this Declaration in that capacity.

5 2. I submit this declaration in support of Abbott's Reply Briefs in Support of its  
6 Motions to Dismiss the GSK Complaint, the Meijer Plaintiffs' Consolidated Amended Complaint,  
7 and the Plaintiffs' Sherman Act Claims. The statements contained herein are based on my own  
8 personal knowledge unless otherwise stated.

9 3. A true and correct copy of pages 1-6 of the Rebuttal Expert Report of Joel W.  
10 Hay, Ph.D., which Abbott submitted to the Doe/SEIU Plaintiffs in the related case, *In re Abbott Labs*  
11 *Antitrust Litigation*, C-04-1511-CW, is attached hereto as **Exhibit A** ("Hay Report"). Plaintiffs in  
12 the above-captioned cases have requested that this Court take judicial notice of pages 1, 17-19, 27-  
13 30, and 98 of the Hay Report. To the extent that this Court takes judicial notice of those pages,  
14 Abbott requests that the Court take judicial notice of pages 1-6 of the Hay Report.

15 4. A true and correct copy of the transcript from the hearing on Abbott's Motion  
16 to Dismiss Doe Plaintiffs' Amended Complaint, filed with this Court as Docket No. 187 in the  
17 related case, *In re Abbott Labs Antitrust Litigation*, C-04-1511-CW, is attached hereto as **Exhibit B**.

18 I declare under penalty of perjury under the laws of the United States of America that  
19 the foregoing is true and correct.

20 Executed in San Francisco, California, this 21st day of February, 2008.

21  
22 February 21, 2008

23 /s/ Nicole M. Norris  
24 \_\_\_\_\_  
25 Nicole M. Norris,  
26 nnorris@winston.com  
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